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February 27, 2023

Hon. Raymond J. Dearie
United States District Court Judge
Eastern District of New York
225 Cadman Plaza East
Brooklyn, NY 11201

RE: *Michael Spinelli v. United States*, 97-cr-209-1 (RJD)

Dear Judge Dearie,

I am writing to provide the Court with an up-to-date BOP progress report that Mr. Spinelli received this month. This report provides additional support for Mr. Spinelli's compassionate release motion, including by clearly noting that he is a minimum recidivism level, p. 1, that he has "outstanding work evaluations," p. 2, that he "continuously participates and completes classes," p. 3, and that he has had "clear [disciplinary] conduct" for 13 years, and only minor infractions for almost 20 years, since 1994, p. 3.

The report also includes "general comments" from BOP Case Manager Harris, who explains that Mr. Spinelli "does not hesitate to assist with daily activities on the housing unit," that he is "reliable, responsible, and is always willing to help," and that he is "always respectful," p. 6. Harris notes that these qualities are "very much appreciated by staff." Harris concludes that he has "confidence that [Mr. Spinelli] will not violate any conditions of his release/probation" if he were granted compassionate release. This is the third rave review of Mr. Spinelli's character from the BOP correctional staff at his current institution, who see Mr. Spinelli daily.

I respectfully request that the Court take this additional information into account, and urge the Court to grant Mr. Spinelli's request for compassionate release.

Respectfully submitted,

/s/

Allegra Glashausser

Assistant Federal Defender

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Summary Reentry Plan - Progress Report

 Dept. of Justice / Federal Bureau of Prisons
 Plan is for inmate: SPINELLI, MICHAEL 40377-053

SEQUENCE: 00354525

Report Date: 02-06-2023


 Facility: FTW FORT WORTH
 Name: SPINELLI, MICHAEL
 Register No.: 40377-053
 Quarters: S06-110L
 Age: 69
 Date of Birth: [REDACTED]

 Custody Level: IN
 Security Level: LOW
 Proj. Rel Date: 10-25-2026
 Release Method: GOOD
 DNA Status: MCK00237 / 10-16-2002

Contact Information

Release contact & address

Denise Spinnelli, SISTER

Phone (Mobile) [REDACTED]

Offenses and Sentences Imposed

Charge	Terms In Effect
18:1962(C), RICO.	264 MONTHS
18:1959(A)(5) CONSPIRACY TO COMMIT MURDER - CT 1 18:1959(A)(3)& 2 ASSAULT WITH A DANGEROUS WEAPON - CT 2 18:371 CONSPIRACY TO TAMPER WITH A WITNESS - CT 5 18:1512(A)(1)(B) ATTEMPTED MURDER - CT 6	211 MONTHS
18:924(C)(1) USING AND CARRYING FIREARMS DURING A CRIME OF VIOLENCE. (CT-4)	60 MONTHS

Date Sentence Computation Began: 03-25-1994

Sentencing District: NEW YORK, EASTERN DISTRICT

Days FSGT / WSGT / DGCT

0 / 0 / 0

Days GCT or EGT / SGT

1,620

Time Served

Years: 30 Months: 0 Days: 7

+ Jail Credit - InOp Time

+ 529 JC - 110 InOp

Detainers

Detaining Agency	Remarks
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NO DETAINER

Program Plans

Inmate Spinelli arrived at FMC Fort Worth on 8/24/2020.

Current FSA Assignments

Assignment	Description	Start
FTC INELIG	FTC-INELIGIBLE-REVIEWED	08-30-2021
INELIG AUT	FTC-INELIGIBLE OFF CODE - AUTO	05-21-2020
N-ANGER Y	NEED - ANGER/HOSTILITY YES	01-24-2023
N-ANTISO N	NEED - ANTISOCIAL PEERS NO	01-24-2023
N-COGN TV N	NEED - COGNITIONS NO	01-24-2023
N-DYSLEX N	NEED - DYSLEXIA NO	05-30-2021
N-EDUC N	NEED - EDUCATION NO	01-24-2023
N-FIN PV Y	NEED - FINANCE/POVERTY YES	01-24-2023
N-FM/PAR N	NEED - FAMILY/PARENTING NO	01-24-2023
N-M HLTH N	NEED - MENTAL HEALTH NO	01-24-2023
N-MEDICL Y	NEED - MEDICAL YES	01-24-2023
N-RLF N	NEED - REC/LEISURE/FITNESS NO	01-24-2023
N-SUB AB N	NEED - SUBSTANCE ABUSE NO	01-24-2023
N-TRAUMA N	NEED - TRAUMA NO	01-24-2023
N-WORK Y	NEED - WORK YES	01-24-2023
R-MIN	MINIMUM RISK RECIDIVISM LEVEL	01-24-2023

FSA Comments

He is ineligible to accrue and receive the federal time credits. He has a MINIMUM recidivism risk level.



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SEQUENCE: 00354525

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Current Work Assignments

Fac	Assignment	Description	Start
FTW	B/CLOTH	INST CLOTHING ROOM	03-24-2022

Work Assignment Summary

He has maintained a job during this term of incarceration. He has worked in his current position since 1/11/2021, and receives Outstanding work evaluations.

Current Education Information

Fac	Assignment	Description	Start
FTW	ESL HAS	ENGLISH PROFICIENT	05-06-1994
FTW	GED HAS	COMPLETED GED OR HS DIPLOMA	12-02-1992

Education Courses

SubFac	Action	Description	Start	Stop
FTW GP	C	BODY TISSUE WELLNESS CLASS	09-13-2021	09-27-2021
FTW GP	C	CELL STRUCTURE WELLNESS CLASS	09-10-2021	09-20-2021
FTW GP	C	ATHLETS N EFFIC HEART WELL CLA	08-06-2021	08-29-2021
BML	C	RECREATION WELLNESS, RPP#1	10-09-2019	12-11-2019
BML	C	STRESS MGMT TU 1830-1930 RPP#1	10-08-2019	12-10-2019
BML	C	NUTRITION, RPP#1	10-10-2019	12-12-2019
BML	C	AGE PCESS M 12:30-13:30 RPP#1	10-07-2019	12-09-2019
FTW GP	C	HLTH/WELLNESS CALLS "AT RISK"	11-03-2018	12-01-2018
FTW GP	C	BIGGEST LOOSER "AT RISK"	12-07-2017	12-07-2017
FTW GP	C	MEDITATION HEALTH EDUCATION	11-30-2017	11-30-2017
FTW GP	C	YOGA HEALTH EDUCATION COURSE	10-26-2017	10-26-2017
FTW GP	C	HUMAN ANATOMY HEALTH	10-19-2017	10-20-2017
COL	C	BEGINNING YOGA CLASS	03-13-2017	05-08-2017
COL	C	INTERMEDIATE CORE TRAINING CLAS	03-13-2017	05-08-2017
COL	C	BEGINING CLATHENICS CLASS	03-13-2017	05-08-2017
COL	C	BEGINING CIRCUIT TRAINING	03-13-2017	05-08-2017
COL	C	INTERMEDIATE CALETHENICS	11-18-2016	01-16-2017
COL	C	BEGINING SPINNING	06-02-2016	07-28-2016
COL	C	INTERMEDIATE CIRCUIT TRAINING	06-02-2016	07-28-2016
COL	C	BEGINNING YOGA CLASS	06-02-2016	07-28-2016
COL	C	BEGINING CIRCUIT TRAINING	04-06-2016	06-01-2016
COL	C	INTERMEDIATE YOGA CLASS	04-06-2016	06-01-2016
COL	C	BEGINING SPINNING	04-06-2016	06-01-2016
COL	C	ADVANCED CIRCUIT TRAINING	02-11-2016	04-06-2016
COL	C	ADVANCED CIRCUIT TRAINING	08-26-2015	10-24-2015
COL	C	BEGINNING YOGA CLASS	08-26-2015	10-21-2015
COL	C	INTERMEDIATE AEROBICS	08-25-2015	10-21-2015
COL	C	ADVANCED YOGA CLASS	06-30-2015	08-25-2015
COL	C	ADVANCED CALISTHENICS	06-30-2015	08-25-2015
COL	C	INTERMEDIATE CIRCUIT TRAINING	05-04-2015	06-29-2015
COL	C	BEGINNING YOGA CLASS	03-05-2015	04-30-2015
COL	C	BEGINING CIRCUIT TRAINING	03-05-2015	04-30-2015
COL	C	ADVANCED YOGA CLASS	01-08-2015	03-05-2015
COL	C	INTERMEDIATE YOGA CLASS	01-08-2015	03-05-2015
COL	C	ADVANCED CIRCUIT TRAINING	01-08-2015	03-05-2015
COL	C	BEGINING SPINNING	11-17-2014	01-07-2015
COL	C	INTERMEDIATE CIRCUIT TRAINING	11-17-2014	01-07-2015
COL	C	INTERMEDIATE YOGA CLASS	09-17-2014	11-17-2014
COL	C	BEGINNING YOGA CLASS	09-17-2014	11-17-2014
COL	C	ADVANCED YOGA CLASS	07-23-2014	09-17-2014
COL	C	ADVANCED CIRCUIT TRAINING	07-23-2014	09-17-2014
COL	C	BEGINING AEROBICS	05-22-2014	07-22-2014
COL	C	INTERMEDIATE YOGA CLASS	05-22-2014	07-22-2014



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Dept. of Justice / Federal Bureau of Prisons
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SEQUENCE: 00354525

Report Date: 02-06-2023

SubFac	Action	Description	Start	Stop
COL	C	INTERMEDIATE AEROBICS	03-31-2014	05-26-2014
COL	C	BEGINNING CORE TRAIN CLASS	03-31-2014	05-26-2014
COL	C	BEGINNING YOGA CLASS	03-31-2014	05-26-2014
COL	C	ADVANCED JUMP ROPE CLASS	03-31-2014	05-26-2014
COL	C	ACE CLASS METABOLISM	09-30-2013	01-03-2014
COL	C	BEGINING SPINNING	02-07-2014	03-29-2014
COL	C	BEGINING AEROBICS	02-02-2014	03-29-2014
COL	C	ADVANCED YOGA CLASS	02-02-2014	03-29-2014
COL	C	ABDOMINALS CLASS	12-09-2013	01-18-2014
COL	C	BEGINING AEROBICS	12-09-2013	01-18-2014
COL	C	INTERMEDIATE YOGA CLASS	12-09-2013	01-18-2014
COL	C	ADVANCED CALISTHENICS	12-09-2013	01-18-2014
COL	C	ADVANCED SPIN CLASS	12-09-2013	01-18-2014
COL	C	BEGINNING YOGA CLASS	10-15-2013	12-07-2013
COL	C	ADVANCED AEROBICS	10-15-2013	12-07-2013
COL	C	BEGINING SPINNING	10-15-2013	12-07-2013
COL	C	ABDOMINALS CLASS	10-15-2013	12-07-2013
COL	C	ACE CLASS - ASTRONOMY	05-13-2013	09-20-2013
COL	C	ABDOMINALS CLASS	06-25-2013	08-07-2013
COL	C	INTERMEDIATE AEROBICS	06-25-2013	08-07-2013
COL	C	ADVANCED CORE TRAINING CLASS	03-05-2013	04-30-2013
COL	C	BEGINING CLAITHENICS CLASS	01-04-2013	03-04-2013
COL	C	BEGINING CLAITHENICS CLASS	01-04-2013	02-07-2013
COL	C	ACE CLASS METABOLISM	03-05-2012	07-03-2012
COL	C	BEGINNING SENIORS FITNESS	02-21-2011	03-21-2011
COM	C	CREATIVE WRITING ACE-PM EDUC	10-06-2008	12-18-2008
COM	C	ACE NUTRITION CLASS-EDUC DEPT	10-02-2007	12-26-2007
COM	C	#1 DISEASE PREVENTION	01-15-2008	01-15-2008
COM	C	CREATIVE WRITING ACE-PM EDUC	03-28-2007	07-07-2007
COM	C	VT MS OFFICE PM	06-06-2006	09-18-2006
COM	C	ADV PILATES TU/THR 9-10AM	09-27-2005	12-22-2005
COM	W	INT PILATES TU/THR 9-10AM	05-14-2005	06-07-2005
COM	W	STRETCH MON/WED/FRI 7-8PM	01-20-2005	02-04-2005
COM	W	BEG YOGA MON/WED/FRIDAY 9-10AM	01-21-2005	02-04-2005
MCK	C	AUTOCAD VT - 1230 TO 1430,M-F	08-29-2003	09-30-2003
SCH	C	RECOVERY AND WEIGHT TRAINING	08-18-1994	08-19-1994
SCH	C	ABDOMINAL TRAINING	08-11-1994	08-12-1994
SCH	C	FLEXIBILITY AND WEIGHT TRAINING	07-28-1994	07-29-1994

Education Information Summary

He has completed numerous classes during this term of incarceration. He continuously participates and completes classes.

Discipline Reports

Hearing Date	Prohibited Acts
06-03-2010	330 : BEING UNSANITARY OR UNTIDY
09-12-2000	305 : POSSESSING UNAUTHORIZED ITEM
04-08-1999	390 : INTERFERING W/STAFF-MODERATE
10-18-1994	328 : GIVING/ACCEPTNG MONEY W/O AUTH
10-18-1994	328 : GIVING/ACCEPTNG MONEY W/O AUTH
08-24-1993	201 : FIGHTING WITH ANOTHER PERSON

Discipline Summary

He has maintained clear conduct since 6/2010, and has only minor infractions except the 201, Fighting with Another Person, in 1994.

ARS Assignments

Fac	Assignment	Reason	Start	Stop
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Fac	Assignment	Reason	Start	Stop
FTW GP	A-DES	OTHER AUTH ABSENCE RETURN	03-24-2022	CURRENT
FTW GP	A-DES	OTHER AUTH ABSENCE RETURN	06-22-2021	03-24-2022
FTW GP	A-DES	OTHER AUTH ABSENCE RETURN	05-24-2021	06-22-2021
FTW GP	A-DES	OTHER AUTH ABSENCE RETURN	11-20-2020	05-24-2021
FTW GP	A-DES	NO J&C-MVMT INFO NOT AVAILABLE	08-24-2020	11-20-2020
BML	A-DES	NO J&C-MVMT INFO NOT AVAILABLE	05-05-2020	05-05-2020
BML	A-DES	TRANSFER RECEIVED	06-10-2019	01-10-2020
FTW CAD	A-DES	TRANSFER RECEIVED	12-03-2018	05-17-2019
FTW GP	A-DES	OTHER AUTH ABSENCE RETURN	08-13-2018	12-03-2018
FTW GP	A-DES	OTHER AUTH ABSENCE RETURN	03-12-2018	08-13-2018
FTW GP	A-DES	TRANSFER RECEIVED	08-03-2017	03-12-2018
COL	A-DES	TRANSFER RECEIVED	08-01-2017	08-01-2017
COM	A-DES	TRANSFER RECEIVED	08-01-2017	08-01-2017
COL	A-DES	OTHER AUTH ABSENCE RETURN	06-06-2016	05-30-2017
COL	A-DES	OTHER AUTH ABSENCE RETURN	06-02-2015	06-06-2016
COL	A-DES	OTHER AUTH ABSENCE RETURN	05-12-2015	06-02-2015
COL	A-DES	OTHER AUTH ABSENCE RETURN	01-28-2015	05-12-2015
COL	A-DES	OTHER AUTH ABSENCE RETURN	03-25-2014	01-28-2015
COL	A-DES	OTHER AUTH ABSENCE RETURN	06-25-2013	03-25-2014
COL	A-DES	OTHER AUTH ABSENCE RETURN	10-24-2011	06-25-2013
COL	A-DES	OTHER AUTH ABSENCE RETURN	06-16-2011	10-24-2011
COL	A-DES	TRANSFER RECEIVED	01-14-2010	06-16-2011
COM	A-DES	TRANSFER RECEIVED	10-19-2004	01-14-2010
MCK	A-DES	OTHER AUTH ABSENCE RETURN	07-23-2003	09-10-2004
MCK	A-DES	OTHER AUTH ABSENCE RETURN	06-10-2003	07-23-2003
MCK	A-DES	OTHER AUTH ABSENCE RETURN	05-06-2003	06-10-2003
MCK	A-DES	WRIT RETURN	02-01-2002	05-06-2003
MCK	A-DES	WRIT RETURN	07-30-1999	02-02-2001
MCK	A-DES	TRANSFER RECEIVED	09-16-1996	03-13-1997
SCH	A-DES	US DISTRICT COURT COMMITMENT	04-15-1994	09-16-1996

Current Care Assignments

Assignment	Description	Start
CARE1-MH	CARE1-MENTAL HEALTH	09-04-2020
CARE3	UNSTABLE, COMPLEX CHRONIC CARE	09-11-2020

Current Medical Duty Status Assignments

Assignment	Description	Start
CPAP	CPAP MACHINE	03-08-2022
C19-T NEG	COVID-19 TEST-RESULTS NEGATIVE	09-14-2020
LIMIT SUN	NO EXCESS SUN	06-13-2019
LOWER BUNK	LOWER BUNK REQUIRED	09-18-2021
NO PAPER	NO PAPER MEDICAL RECORD	08-03-2017
PAPER	LEGACY PAPER MEDICAL RECORD	06-10-2019
REG DUTY W	REGULAR DUTY W/MED RESTRICTION	09-13-2022
WGT 25 LB	WEIGHT-NO LIFTING OVER 25 LBS	06-13-2019
YES F/S	CLEARED FOR FOOD SERVICE	09-13-2022

Current PTP Assignments

Assignment	Description	Start
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NO ASSIGNMENTS

Current Drug Assignments

Assignment	Description	Start
ED NONE	DRUG EDUCATION NONE	09-17-2020

Physical and Mental Health Summary

He is a care level 1 mental health and a care level 3 medical inmate. He requires specific medical equipment to maintain his quality of life.

**Summary Reentry Plan - Progress Report**

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FRP Payment Plan

Most Recent Payment Plan

**** NO FRP DETAILS ******Financial Responsibility Summary**

He does not have an FRP obligation.

Release Planning

He was sentenced in the Eastern District of New York. He plans to release Staten Island, NY to reside with his sister upon his release.

General Comments

Inmate Spinelli has not been a management problem while housed at FMC Fort Worth. He has been assigned to the housing unit I am responsible for and have worked directly with him as the Unit Manager of San Antonio unit. He keeps his area clean, and assists unit staff with anything asked of him. He works in the Clothing Room, but does not hesitate to assist with daily activities on the housing unit. This is very much appreciated by staff. He is reliable, responsible, and is always willing to help when it is needed. He has never given my staff or I any issues with any requests we may have. He is always respectful. If inmate Spinelli were granted a Compassionate Release, I have confidence that he will not violate any conditions of his release/probation and return to prison. He has medical issues and has sick family members that could use his assistance when he does release.



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Report Date: 02-06-2023

Name: SPINELLI, MICHAEL
Register Num: 40377-053
Age: 69
Date of Birth: [REDACTED]
DNA Status: MCK00237 / 10-16-2002

Inmate (SPINELLI, MICHAEL, Register Num: 40377-053)

2-6-2023

Date

Chairperson

2-6-2023

Date

Case Manager

2-6-2023

Date